

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 3, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 27, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Heier moved and Hudkins seconded approval of the Board of Equalization minutes dated July 27, 1999. On call Campbell, Hudkins, Heier and Steinman voted aye. Workman present, but not voting. Motion carried.

- 2) **MOTOR VEHICLE TAX EXEMPTIONS:**

Congregation of Mary Queen
Dialysis Center of Lincoln, Inc.
Goodwill Industries Serving Southeast Nebraska, Inc.
Saint Paul United Methodist Church

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Congregation of Mary Queen, Dialysis Center of Lincoln, Inc. and Saint Paul United Methodist Church and to also approve a motor vehicle tax exemption for Goodwill Industries Serving Southeast Nebraska, Inc. subject to the vehicle(s) being registered and titled to the applicant. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SETTING OF PUBLIC HEARINGS:**

Setting of public hearings for Tuesday, August 17, 1999 at 2:30 p.m. in the Commissioners Chambers on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for the following:

D D & S Family Investment LLP
Christine Behrends Emerson
Ivan and Janis Walvoord

MOTION: Heier moved and Hudkins seconded approval of setting public hearings for Tuesday, August 17, 1999 at 2:30 p.m. in the Commissioners Chambers on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for D D & S Family Investment LLP, Christine Behrends Emerson and Ivan and Janis Walvoord

Campbell declared a conflict of interest due to ownership in D D and S Family Investment LLP.

ROLL CALL: Steinman, Workman, Heier and Hudkins voted aye. Campbell abstained. Motion carried.

4) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

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Commissioners Present: Kathy Campbell, Chair
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- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 27, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Workman moved and Steinman seconded approval of the Board of Commissioners minutes dated July 27, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, August 3, 1999.**

MOTION: Steinman moved and Heier seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **APPROVAL FOR SIZING AND ISSUING BONDS FOR THE NEW DETENTION FACILITY FOR LANCASTER COUNTY** - Bill Giovanni, Ameritas Investment Corp

Dave Kroeker, Budget and Fiscal Director, distributed the following documentation:

- * Juvenile Detention Facility Design Development Opinion of Cost Summary (Exhibit A)
- * Projected Debt Service for the Juvenile Detention Facility (Exhibit B)

Liz Kuhlman, Ameritas Investment Corporation, appeared and explained the Cost Summary document (Exhibit A). She indicated \$4,508,950 would be the general construction cost with the Radcliff Road construction cost estimated at \$26,000. Included is a seven percent contingency in the project.

She noted a decrease in the land acquisition cost between the program budget and the design development opinion of cost.

In response to a question asked by Hudkins regarding extension of sewer, utilities and water, Kuhlman stated the utility costs are included in the mechanical line item.

Hudkins asked if Radcliff Road was figured as a 30 foot roadway or a 60 foot roadway which would comply with City standards.

Kuhlman responded that it would be a private road with a width of 22 feet.

Don Killeen, County Property Manager, explained Radcliff Road would be made a private road through the vacation process and would reflect a 30 foot right-of-way with utilities being located along Dairy Drive. These would be contingent upon adjoining property owners agreeing to a vacation of Radcliff Road and the public improvement district along Dairy Drive.

Killeen noted that if they complied with City standards allowing for a 60 foot width, Dairy Drive would need to be vacated which the Planning Department has indicated they oppose.

Bill Giovanni, Ameritas Investment Corporation, gave a brief overview of the Projected Debt Service (Exhibit B).

He noted a difference of \$198,870 between the total project cost on the Design Development Opinion of Cost Summary sheet (Exhibit A) and the Projected Debt Service sheet (Exhibit B) and suggested the Board discuss the sizing of the bonds.

Giovanni explained that the bond proceeds will be held by the County which the County can invest during the construction period. Typically, he stated, interest earnings can be used to reduce the amount of bonds which need to be issued, however, the County is not currently doing that. Giovanni stated that in a two to three year period the bonds should make \$300,000 to \$400,000 in interest earnings which could be used for overruns or change orders. If the interest earnings are not used he suggested that the monies could be used to help pay the debt service on the bonds after the construction is completed.

MOTION: Steinman moved and Hudkins seconded approval of sizing and issuing of bonds, in the amount of \$10,155,000, for the new Detention Facility for Lancaster County. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

- A. An application for a Special Designated License from Catering Management Inc. to hold the Kiwanis picnic on Friday, August 6, 1999 from 12 p.m. to 12 a.m. at Boss Hog's Party Barn located at 6305 West Adams. (19991447) (19991465) (19991477) (19991434)**

The Clerk announced the application had been withdrawn at the request of the applicant.

- B. A program agreement between the State of Nebraska, Department of Roads and Lancaster County for Project BRO-7055(101), Waverly North (County Structure A-76) located at 141st Street and Rock Creek Road. Federal Aid Bridge Funds will be used with County matches estimated at \$122,900. (19991474)**

MOTION: Workman moved and Steinman seconded approval of a program agreement between the State of Nebraska, Department of Roads and Lancaster County for Project BRO-7055(101), Waverly North (County Structure A-76) located at 141st Street and Rock Creek Road. Federal Aid Bridge Funds will be used with County matches estimated at \$122,900. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

- C. A contract between Evercom and Lancaster County for an inmate telephone system for the Attention Center for Youth, with the Attention Center receiving a 30 percent commission on Evercom's net revenues. The term of the contract is to end three years from date of execution of the contract or installation of the system, which ever is the later. (19991475)**

MOTION: Hudkins moved and Steinman seconded approval of a contract between Evercom and Lancaster County for an inmate telephone system for the Attention Center for Youth, with the Attention Center receiving a 30 percent commission on Evercom's net revenues. The term of the contract is to end three years from date of execution of the contract or installation of the system, which ever is the later.

In response to a question asked by Heier, Dave Johnson, Deputy County Attorney, explained that he did not see anything in the contract which would indicate that the service would not carry over to the new facility.

ROLL CALL: Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- D. A resolution amending the minimum road standards of platted and dedicated roads in Lancaster County. (1999-1398)**

In response to a question asked by Heier, Larry Worrell, County Surveyor, explained that the original resolution allowed for five inches of Type "A" asphaltic concrete on streets and roads located within a platted area in the County. The new resolution amends the amount of asphaltic concrete to six inches which will be in compliance with the Subdivision Regulations.

MOTION: Hudkins moved and Steinman seconded approval of Resolution 99-1398 amending the minimum road standards of platted and dedicated roads in Lancaster County. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

E. Settlement of a suit filed on behalf of Nichole Behrends, former Lancaster Manor employee, in the amount of \$1,500.

Dave Johnson, Deputy County Attorney, stated Diane Staab, Deputy County Attorney, had presented the item to the County Board during an Executive Session. The final settlement will be \$1,500.

MOTION: Steinman moved and Heier seconded approval of the settlement of a suit filed on behalf of Nichole Behrends, former Lancaster Manor employee, in the amount of \$1,500. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

F. A request from Warren L Reimer, pursuant to Resolution 4630, for payment of 25 percent of Supplemental Security Income benefits in the amount of \$3,988 paid to Lancaster County on behalf of Michele L Pollock, for a total claim of \$872. (19991464)

MOTION: Steinman moved and Workman seconded approval of a request from Warren L Reimer, pursuant to Resolution 4630, for payment of 25 percent of Supplemental Security Income benefits in the amount of \$3,988 paid to Lancaster County on behalf of Michele L Pollock, for a total claim of \$872. On call Heier, workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

G. A request from Michael J and Cindy L Wilson for a refund of real estate taxes for 1997, in the amount of \$324.05, and for 1998, in the amount of \$262.86. (19991466)

MOTION: Hudkins moved and Steinman seconded approval of a request from Michael J and Cindy L Wilson for a refund of real estate taxes for 1997, in the amount of \$324.05, and for 1998, in the amount of \$262.86. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

H. Appointment of Jodi Nelson as Chief Deputy of the Juvenile Division of the Lancaster County Attorney's Office, at a salary of \$70,000, effective August 5, 1999.

MOTION: Heier moved and Hudkins seconded approval of the appointment of Jodi Nelson as Chief Deputy of the Juvenile Division of the Lancaster County Attorney's Office, at a salary of \$70,000, effective August 5, 1999. On call Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. Setting of a public hearing for Tuesday, August 17, 1999 at 7 p.m. in the Commissioners Chambers, Room 112, on the first floor of the County-City Building for the Lancaster County Budget for Fiscal Years 1999-2000.**
- B. An agreement between Advanced Litigation Techniques, Inc. and Lancaster County for computer software and maintenance services for the Public Defender's Office, in the amount of \$1,678.20 for a one year period, beginning July 23, 1999. (19991479)**
- C. A letter of agreement between Edna J Gerdes and the Lancaster County Engineering Department to void a requirement for a 30 day written notice in advance of occupation of right-of-way on North 112th Street at Malcolm, Nebraska. (19991476)**

MOTION: Hudkins moved and Steinman seconded approval of the Consent Items.

Dave Johnson, Deputy County Attorney, explained that the County Board wanted to begin paying maintenance agreements in arrears. He noted that payment of Consent Item B would be in the amount of \$839.10 for the first six months with the remainder due six months into the agreement.

Regarding Consent Item C, Johnson stated it was his understanding that the County Engineer's Department was unable to give a 30 day written notice prior to beginning work as per prior agreement. The compensation for not being able to give a 30 day written notice would be removal of the landowner's fence, provision of salvage and crop damage compensation.

ROLL CALL: Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Steinman seconded adjournment of the Board of Commissioners meeting. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk